



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

MYERS BIGEL SIBLEY & SAJOVEC  
PO BOX 37428  
RALEIGH NC 27627

**COPY MAILED**

**APR 29 2004**

In re Application of :  
Takeishi, et al. : DECISION ON PETITION  
Application No. 10/730,638 :  
Filed: December 8, 2003 :  
Atty. Dkt. No.: 5576-156 :

**OFFICE OF PETITIONS**

This decision is in response on the "PETITION TO ACCORD THE PROPER FILING DATE," filed March 22, 2004, under 37 CFR 1.10(c) to accord the above-identified application a filing date of December 8, 2003.

Petitioner alleges that the application was deposited in Express Mail service December 8, 2003. As supporting evidence, petitioner has provided a copy of an Express Mail label bearing tracking number EV193584415US (the same Express Mail number found on the application transmittal letter accompanying the original application papers located in the official file) and a "date-in" of December 8, 2003. Petitioner has also provided a copy of a USPS "Track & Confirm" report, which indicates that a package bearing Express Mail, label No. EV193584415US was accepted by the USPS on December 8, 2003 and delivered to the United States Patent and Trademark Office on December 9, 2003.

In view of the above, the petition under 37 CFR 1.10(c) to accord the above-identified application a filing date of December 8, 2003 is hereby **GRANTED**.

No fee is due in connection with this petition.

This application is being forwarded to the Office of Initial Patent Examination for further processing with a filing date of December 8, 2003.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0310.

Alesia M. Brown  
Senior Petitions Attorney  
Office of Petitions